

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ILDER DE JESUS QUICENO MONTOYA,  
#64218-509

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 4:24cv295  
CRIMINAL ACTION NO. 4:18cr211

**ORDER OF DISMISSAL**

This case was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation (Dkt. #10) recommending that the Motion to Vacate, Set Aside, or Correct Sentence be dismissed without prejudice. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court.

It is therefore **ORDERED** the Motion to Vacate, Set Aside, or Correct Sentence is **DISMISSED** without prejudice. It is further **ORDERED** a certificate of appeal ability is **DENIED**. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this 2nd day of August, 2024.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE